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HOUSE BILL 605

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Rhonda S. King

AN ACT

RELATING TO HEALTH CARE; REQUIRING UNIFORM PRESCRIPTION DRUG IDENTIFICATION CARDS IN CERTAIN CIRCUMSTANCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. PRESCRIPTION DRUG CARD--UNIFORMITY--DESIGN.--

A. The superintendent of insurance, following guidelines recommended by the national council for prescription drug programs, shall design by January 1, 2004, a uniform prescription drug identification card to be utilized by all persons:

(1) having prescription drug coverage provided by a health insurer, health maintenance organization or managed care organization;

(2) obtaining prescription drugs through a pharmacy benefit manager or a prescription drug purchasing

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1 cooperative functioning with a self-insurance plan or by any
2 other method; or

3 (3) obtaining prescription drugs through the
4 medicaid program.

5 B. The prescription drug identification card shall
6 include all data necessary for pharmacists to submit claims for
7 prescription drugs, including complete information for
8 electronic transaction claims routing, and shall meet at least
9 the minimum requirements for standard information and format
10 adopted in the current guidelines of the national council for
11 prescription drugs programs.

12 C. The superintendent of insurance shall adopt such
13 rules as he deems necessary to carry out the provisions of this
14 section for the design and implementation of a uniform
15 prescription drug identification card.

16 Section 2. PRESCRIPTION DRUG IDENTIFICATION CARD
17 REQUIRED--IMPLEMENTATION. --

18 A. Every individual or group health insurance
19 policy, health care plan or certificate of health insurance
20 delivered or issued for delivery in this state shall issue and
21 require any person who is a party to or member of the policy,
22 plan or certificate to use a uniform prescription drug
23 identification card, as approved by the superintendent of
24 insurance, in obtaining prescription drugs at retail.

25 B. Every pharmacy benefit manager or prescription

underscored material = new
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1 drug cooperative purchasing program providing prescription
2 drugs in New Mexico, whether in conjunction with a self-
3 insurance plan or by any other method, shall provide and
4 require each person obtaining prescription drugs through its
5 program to utilize a prescription drug identification card, as
6 approved by the superintendent of insurance, to obtain
7 prescription drugs at retail.

8 C. The human services department shall provide and
9 require each recipient obtaining prescription drugs through the
10 medicaid program to utilize a prescription drug identification
11 card, as approved by the superintendent of insurance, to obtain
12 prescription drugs at retail.

13 D. Prescription drug identification cards required
14 in Subsections A and B of this section shall be issued with
15 policy or prescription drug identification card renewals in the
16 normal course of business but in any case no later than July 1,
17 2004.

18 E. Nothing in this section shall be construed to
19 require an insurer or the medicaid program to issue two
20 insurance identification cards to policyholders, members or
21 medicaid recipients, provided the insurance identification card
22 that is issued includes the information and elements required
23 in Section 1 of this act.